No. S. D. 9832—C. 138-47-23, dated Bangalore, the 28th May 1948.

In exercise of the powers conferred by Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947 and in partial modification of Notifications (i) S. D. 6108—C. 37-47-26, dated 14th February 1948, (ii) S. D. 6828—C. 37-47-40, dated 12—13th March 1948, (iii) S. D. 7530—C. 100-47-46, dated 5th April 1948, the Government of His Highness the Maharaja are hereby pleased to make the following Order, namely :—

1. (1) This Order may be called " The Foodgrains Export Control Order, 1948."

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

2. In this Order, unless there is anything repugnant in the subject or context :—

(*a*) "export" means to take out of Mysore to any place outside Mysore;

(*b*) "foodgrain" means such one or more of the commodities specified in the schedule to this Order and includes any of their products.

(*c*) "Director of Food Supplies" includes the Additional Director of Food Supplies and any officer or person authorised by the Director of Food Supplies to exercise all or any of the powers conferred on the Director of Food Supplies by this Order;

3. (1) No person shall export or attempt to export by road, rail, river, or air or any other manner, any foodgrain except in accordance with a permit issued in that behalf by the Director of Food Supplies.

(2) If it appears to the Director of Food Supplies that a permit issued under this Order is not likely to be utilised or that there are sufficient reasons requiring its cancellation, he may cancel the permit and on such cancellation, the holder of the permit shall forthwith return it to the Director of Food Supplies.

4. The Director of Food Supplies may, require any person who intends to export any foodgrain to export it by such route whether by rail or road as may be specified by him, whereupon such person shall not export such foodgrain by any other route.

5. The Director of Food Supplies may, if he has reason to believe that any person has contravened, is contravening or is likely to contravene any of the provisions of this Order:—

(*a*) require any person to give any information or produce any document, in his possession with respect to any business carried on by that, or any other person;

(*b*) inspect or cause to be inspected any vehicle or vessel in which he has reason to believe that any foodgrain is being carried in contravention of this Order;

(*c*) seize or cause to be seized any foodgrain in respect of which he has reason to believe that a contravention of this order has been committed including any animal, vehicle or vessel which he has reason to believe has been used for the said contravention.

6. No person shall refuse to give any information or produce any document lawfully demanded from him under clause 5.

7. A Court trying a contravention of this Order shall order that any stocks of foodgrains, together with the packages and coverings thereof and any animal, or vehicle, or vessel or any conveyance used for the contravention in respect of which the Court is satisfied that the order has been contravened shall be forfeited to Government, unless for reasons to be recorded in writing, the Court is of opinion that the direction should not be made in respect of the whole or, as the case may be, a part of the property.

Government further direct with reference to sub-rule (1) of Rule 119 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947, that notice of this Order shall be given by publication in the Official Gazette.

SCHEDUDE.

ARTICLES OF FOODRGAINS.

| | | | |
|---|---|---|---|
| 1 | Paddy | 6 | Haraka |
| 2 | Rice | 7 | Navane |
| 3 | Ragi | 8 | Save |
| 4 | Jola | 9 | Sajje |
| 5 | Wheat | | |

No. S. D. 9938—C. 100-47-68, dated Bangalore, 1st June 1948.

Whereas in the opinion of the Government, it is necessary for securing and maintaining food supplies and preventing the hoarding and sale at high prices of foodgrains and their products, to make provision in the manner hereinafter following :—

Now, therefore, in exercise of the powers conferred by Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, XX of 1947, the Government of His Highness the Maharaja of Mysore are pleased to make the following Order and to direct with reference to sub-rule (1) of Rule 119 of the said Rules that notice of the Order shall be given by the publication of the said Order in the Official Gazette and by the issue of a Press Note summarising and explaining its provisions.

1. This Order may be called the Hoarding and Profiteering (Foodgrains) Prevention Order, 1948.

(*a*) It extends to the whole of Mysore.

(*b*) It shall come into force at once.

2. *Definitions.*—In this Order unless there is anything repugnant in the subject or context :—

(*a*) 'Amildar' includes a Deputy Amildar.

(*b*) 'Dependant' means the wife, child, parent and other relation of a holder or of any other person who resides with him and partakes of food in this house permanently and includes domestic servants who reside with the holder and partake of food in his house permanently.

(*c*) 'Foodgrains' means paddy, rice, ragi, jola, wheat and their derivatives.

(*d*) 'Holder' includes a tenant, lessee and a person having such an interest in land on which food crops are grown as will entitle him to a share in the produce of such land and includes also persons or institutions having such interest.

(*e*) 'Taluk' means and includes a local area, recognised by Government as a Taluk or Sub-taluk.

(*f*) 'Normal quantity' means in relation to—

(i) a person other than a holder, residing in a statutory rationed area, the quantity of foodgrains required for use and consumption in the household or establishment of such person during a period of three months at

the rate of twelve ounces for every person of and above eight years of age and six ounces for every person under eight years of age who are dependants of such person or who reside in such *establishment*.

(ii) a person who is a holder residing in a statutory rationed area, the quantity of foodgrains required for use and consumption in the household or establishment of such person for the period up to the *next harvest* at the rate of twelve ounces for every person of and above eight years of age and six ounces for every person under eight years of age who are dependants of such person or who reside in such establishment;

(iii) a person who is a holder residing in an area other than a statutory rationed area, the quantity of foodgrains required for use and consumption in the household or establishment of such person for the period up to the next harvest at the rate of sixteen ounces for every person of and above eight years of age and eight ounces for every person under eight years of age who are dependants of such person or who reside in such establishment.

(iv) a person other than a holder residing in an area other than a statutory rationed area, the quantity of foodgrains required for use and consumption in the household or establishment of such person during a period of three months at the rate of 12 ozs. for every person of and about eight years of age and six ounces for every person under eight years of age who are dependants of such person or who reside in such establishment.

(*g*) "Establishments" means catering establishments, institutions, residential establishments, mills, and animal establishments, as defined in sub-clauses (i) to (vi):—

(i) "Catering establishments" includes hotels, restaurants, eating houses, cafes, tea-shops, coffee stalls, free feeding centres and every other place of refreshment open to the public, clubs, canteen and other similar establishments;

(ii) "Institutions" includes hospitals, sanatoria, convalescent homes, nursing homes, orphanages, work-houses, infirmaries, asylums, boarding schools (providing meals for day boarders) and other similar establishments;

(iii) "Residentail establishments" shall not include private households but shall include boarding houses, apartment houses, residential hotels, hostels, nurses' homes, boarding schools (without any day boarders) and other similar establishments;

(iv) "Manufacturing establishments" includes bakeries, confectioneries and other similar establishments;

(v) "Mills" includes floor mills, provender mills and other similar establishments;

(iv) "Animal establishments" includes stables for horses or cattle, poultry farms, zoos, manegeries, veterinary hospitals, pinjrapoles and other similar establishments.

3. If it appears necessary for maintaining supplies of foodgrains essential to the life of the community any officer of the Revenue or Food Supplies Department not below the rank of a Deputy Amildar or Food Assistant, may, *by an order in writing*, require any person, holding stocks of foodgrains to sell the whole or a specified part of the stocks at such prices and to such persons or class of persons or in such circumstances as may be specified in the order made by him.

4. If the stocks of foodgrains specified under clause 3 are not sold in accordance with the said order, then, without prejudice to any punishment to which the person concerned may be liable, the Officer issuing the said order may seize such stocks and deliver them to the person or class of persons to whom they should have been sold under the said order and direct such person or class of persons to pay the person from whom the stocks were seized the value thereof at the price specified in the said order, deducting the costs of seizure.

5. Any Revenue or Food Officer not below the rank of a Revenue Inspector or a Special Revenue Inspector or any Police Officer not below the rank of a Sub-Inspector may on reasonable suspicion that stocks are held up

within his jurisdiction, inspect at all reasonable times stocks of foodgrains and for that purpose enter any premises or stop any vehicle or vehicles and search the same and seize the stocks of foodgrains in respect of which he has reason to believe that an order issued under clause 3 has been contravened, provided that in exercising this power to enter, due regard shall be paid by such person to the social and religious customs of the occupants of the premises : provided further, if any such premises be found locked up and unoccupied or unattended by or on behalf of the owner or occupier, the same may, in the presence of two independent witnesses, be broken open and entered upon for any or all of the above purposes.

6. No order under clause 3 shall be issued to and no action under clause 5 shall be taken against any holder who holds stocks of foodgrains not exceeding the normal quantity.

Provided that if there are reasonable grounds to believe that a holder holds stocks in excess of the normal quantity, an order may be issued to such holder under clause 3 requiring him to sell such excess stocks and thereupon the provisions of clause 4 and clause 5 shall apply in respect of the stocks of foodgrains held by such holder.

7. The Amildar may require any holder or any other person to furnish a declaration of the stocks of foodgrains held by him in such form and containing such particulars and within such time as the Amildar may specify, and such holder or other person shall be bound to comply with such requirement.

8. On an order passed by the Amildar or Deputy Amildar under clauses mentioned above, an appeal shall lie to the Sub-Division Officer and second appeal to the Deputy Commissioner and his decision shall be final. An appeal or a second appeal, as the case may be, shall be filed within 15 days from the date of the order appealed against.

9. If any person contravenes the provisions of this Order, then without prejudice to any punishment to which he may be liable, any Court trying the offence shall order that any stocks of foodgrains together with the packages and coverings thereof in respect of which the Court is satisfied that the offence has been committed shall be forfeited to the Government.

A. S. KHALEEL, *Food and Civil Supplies Secy.*

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